

August 9, 2005

Page 1 of 1

Docket No.: TOYA141.001APC

~~Please Direct All Correspondence to Customer Number 20995~~

TRANSMITTAL

Applicant : Yasuda, et al.
 App. No : 10/521,947
 Filed : January 21, 2005
 For : COMPOSITION FOR PROMOTING
 THE PROLIFERATION OF
 LACTOBACILLUS CASEI SUBSP.
 CASEI
 Examiner : Unknown
 Art Unit : Unknown

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 9, 2005

(Date)

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

RECEIVED

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

18 JAN 2006

Legal Staff
 International Division

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Letter in 1 page.
- (X) Copies of documents as originally filed on February 18, 2005.
- (X) Copy of Notice to File Missing Parts.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Che Swyden Chereskin, Ph.D.
 Registration No. 41,466
 Agent of Record
 Customer No. 20,995
 (949) 760-0404



TQYA141.001APC

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Yasuda, et al.
Appl. No.	:	10/521,947
Filed	:	January 21, 2005
For	:	COMPOSITION FOR PROMOTING THE PROLIFERATION OF LACTOBACILLUS CASEI SUBSP. CASEI
Examiner	:	Unknown
Group Art Unit	:	Unknown

LETTER

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On February 18, 2005, in anticipation of receipt of a Notice to File Missing Parts, we forwarded an executed Declaration and Power of Attorney along with the required late filing surcharge. We have now received a Notice to File Missing Parts as mailed by the Office on July 18, 2005. Upon checking the PAIR website, there is no acknowledgement of receipt of the original Declaration. Consequently, we enclose herewith copies of the documents as filed on February 18, 2005, along with a copy of the Notice to File Missing Parts.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 9, 2005

By:

Che S. Chereskin
Che Swyden Chereskin, Ph.D.
Registration No. 41,466
Agent of Record
Customer No. 20,995
(949) 760-0404

1855335\080905



UTILITY/DESIGN PATENT
(missing parts)

Date: 2-18-05

Date of Action: N/A

Rec'd in the USPTO on the date stamped hereon via Certificate of Mail:

Docket #: TOYAKI 001A PC Applicant: Yoseda, et al.

Title: Composition for Promoting the Proliferation

App No.: 10/1521,947 Filed: 1-21-05

VERIFIED BY: Asst: SW Atty: C. Cherevskin QC: DNG

- Transmittal Letter
- Notice to File Missing Parts
- Decl and Power of Atty
- Decl by Inventor(s)
- POA by Assignee; copy of Assignment
- Sequence Submission Statement
- Sequence Listing in _____ pgs
- _____ copies of CRF Containing Seq List
-
- Return Prepaid Postcard

- Preliminary Amendment in _____ pgs
- Copy of Original Specification and Drawings
- Information Disclosure Statement; and PTO-1449 w/ _____ Ref(s)
- Letter Requesting Refund
- _____ Month Extension Requested
- \$ 130 Check for Filing Fee
-
-

(7/14/03)

**KNOBBE MARTENS OLSON, & BEAR
PATENT ACCOUNT**

2040 MAIN STREET, 14TH FL.
IRVINE, CA 92614

101521,947

68342

11-24/1210 114:
4159335140

PAY
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\$ 130

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wellsfargo.com

Yoseda, et al.

FOR TOYAKI 001A PC MP *Surcharge*

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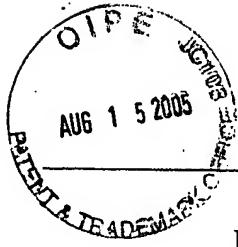
Adriana J. Gutierrez



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Rec'd PO/PTO 15 AUG 2005

PATENT



Attorney Docket No. TOYA141.001APC
Date: February 18, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Yasuda, et al.

Application No. : 10/521,947

Filed : January 21, 2005

For : COMPOSITION FOR PROMOTING
THE PROLIFERATION OF
LACTOBACILLUS CASEI SUBSP.
CASEI

Group Art Unit : Unknown

Examiner : Unknown

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 18, 2005

(Date)

A handwritten signature in black ink that reads "Che S. Chereskin".

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

At the time the above-identified application was filed, a Declaration was not submitted. As of this date, we have not received a Notice to File Missing Parts. However, in anticipation of receiving this communication, we are forwarding to you the following documents:

- (X) The signed Declaration and Power of Attorney
- (X) A check for \$130 to cover the surcharge
- (X) Please charge our Deposit Account No. 11-1410 for any additional fees which may be required, now or in the future, or credit our account for any overpayment.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Feb. 18, 2005

By: A handwritten signature in black ink that reads "Che S. Chereskin".

Che Swyden Chereskin, Ph.D.
Registration No. 41,466
Agent of Record
Customer No. 20,995
(949) 760-0404



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,947		TOYA141.001APC

INTERNATIONAL APPLICATION NO.	
PCT/JP03/09272	

I.A. FILING DATE	PRIORITY DATE
07/22/2003	07/22/2002

CONFIRMATION NO. 2270
371 FORMALITIES LETTER



OC000000016545729

Date Mailed: 07/18/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/21/2005
- English Translation of the IA filed on 01/21/2005
- Copy of the International Search Report filed on 01/21/2005
- Copy of IPE Report filed on 01/21/2005
- Preliminary Amendments filed on 01/21/2005
- U.S. Basic National Fees filed on 01/21/2005
- Priority Documents filed on 01/21/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,947	PCT/JP03/09272	TOYA141.001APC

FORM PCT/DO/EO/905 (371 Formalities Notice)